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E-FILED: December 18, 2009

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:) Case No. BKS-09-22305-MKN
) Chapter 13
)
)
Darryl Glover and Ayesha Glover,) Hearing Date: January 04, 2010
) Hearing Time: 1:30 PM
)
Debtors(s).)
)
)

DEBTORS' OPPOSITION TO MOTION FOR
RELIEF FROM AUTOMATIC STAY AND/OR REQUEST FOR RENOTICING
UNDER NRS 107.080 (AS REQUIRED UNDER NEVADA ASSEMBLY BILL 149
EFFECTIVE JULY 1, 2009)

COME NOW, Darryl Glover and Ayesha Glover, by and through attorney, David Krieger, Esq., of the LAW OFFICES OF HAINES & KRIEGER, LLC, and in response to **WELLS FARGO BANK, N.A. AS TRUSTEE UNDER POOLING AND SERVICING AGREEMENT DATED AS OF NOVEMBER 1, 2004 ASSET BACKED PASS-THROUGH CERTIFICATES SERIES 2004 WHQ2's** ("Creditor") Motion For Relief From Automatic Stay states as follows:

1. On July 11, 2009, Debtors filed the current Chapter 13 Petition in Bankruptcy with the Court.

2. Debtors' Plan provides that Debtors would continue to make direct payments to Creditor, while under the protection of the automatic stay of the Bankruptcy Court, as well as provide for all payments in arrears through the Debtors' Chapter 13 Plan.

3. Debtors are currently working with Alliance Mitigation Group to negotiate a loan modification with the Creditor.

4. On or about December 04, 2009, Creditor filed a Motion for Relief from the Automatic Stay.

5. Debtors believe that the asset securing WELLS FARGO BANK, N.A. AS TRUSTEE UNDER POOLING AND SERVICING AGREEMENT DATED AS OF NOVEMBER 1, 2004 ASSET BACKED PASS-THROUGH CERTIFICATES SERIES 2004 WHQ2's claim is necessary to the Debtors' effective reorganization.

6. Accordingly, Debtors request Creditor's motion be continued for a sufficient amount of time for the loan modification process to be completed.

7. In the event this Court is inclined to grant secured creditor's request for relief from the automatic stay, the Debtors request that Your Honor require Secured Creditor to renounce any pending foreclosure action under NRS 107.080 (as revised by Nevada Assembly Bill 149, effective July 1, 2009) by this Creditor to the extent applicable.

8. Pursuant to NRS 107.082 if a foreclosure "sale has been postponed by oral proclamation three times, any new sale information must be provided by notice as provided in NRS 107.080." NRS 107.080 (as revised by Nevada Assembly Bill 149

effective July 1, 2009) requires Secured Creditor to provide Debtors a notice of election to enter into court mandated mediation.

WHEREFORE, Debtors request:

1. WELLS FARGO BANK, N.A. AS TRUSTEE UNDER POOLING AND SERVICING AGREEMENT DATED AS OF NOVEMBER 1, 2004 ASSET BACKED PASS-THROUGH CERTIFICATES SERIES 2004 WHQ2's Motion be continued for a sufficient amount of time for the loan modification process to be completed.; and/or
2. In the event Your Honor grants relief from stay, that Secured Creditor be required to renote its foreclosure proceeding pursuant to Revised NRS 107.080 (as effective through Nevada AB 149, July 1, 2009), thus providing the Debtors an opportunity to elect court mandated mediation in State Court.
3. Such other relief as the Court finds appropriate.

Dated: December 18, 2009

/s/ David Krieger, Esq.
Attorney for Debtors(s)

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CERTIFICATE OF MAILING RE:
DEBTORS' OPPOSITION TO MOTION FOR
RELIEF FROM AUTOMATIC STAY

I hereby certify that on December 18, 2009, I mailed a true and correct copy, first class mail, postage prepaid, of the above listed document to the following:

/s/David Krieger, Esq.
Attorney for Debtors

Gregory Wilde
208 S. Jones Blvd
Las Vegas, NV 89107